

ORDINANCE 1502

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING THE SCHOOL DISTRICT'S CAPITAL FACILITIES PLAN BY REFERENCE AND AMENDING THE STAND-ALONE TAXES, RATES AND FEES SCHEDULE RELATING TO SCHOOL IMPACT FEES

WHEREAS, the City Council adopted Ordinance 1084, effective November 2, 1999, which adopted a Taxes, Rates and Fees Schedule; and

WHEREAS, said Taxes, Rates and Fees Schedule was last amended by Ordinance 1475, effective January 1, 2013; and

WHEREAS, the City Council adopted Ordinance 1260, effective December 18, 2006, adopting School Impact Fees, and adopted Ordinance 1269, effective April 2, 2007 authorizing the City Clerk to reference any School Impact Fee so established by Ordinance in any future Tax, Rate and Fee Schedule Ordinance or Resolution of the City; and

WHEREAS, pursuant to Ordinance 1260, the City is to review and adjust the Taxes Rates and Fees Schedule on an annual basis as it relates to School Impact Fees as a result of modifications to the Snoqualmie Valley School District's adjustments to its Capital Facilities Plan; and

WHEREAS, the City has received a copy of the "2013 Capital Facilities Plan" dated June 27, 2013 from the School District indicating that as a result of the formulas adopted as Exhibits A and B of Ordinance 1260 there is now indicated a School Impact Fee of \$8,011.11 for Single Family residential units and \$3,366.16 for Multi-Family residential units; and

WHEREAS, pursuant to Article III of the Interlocal Agreement between North Bend and the Snoqualmie Valley School District dated December 6, 2006 and subsequently amended on April 3, 2012, the City must update its Taxes Rates and Fee Schedules to account for this adjustment mandated by the adopted formulas; and

WHEREAS, Section 3 of Ordinance 1260 requires that the City must also adopt the School's Plan as an amendment to the City's Capital Facilities Element of the City's Comprehensive Plan; and

WHEREAS, Ordinance 1483 provides that the City adopt the School's Plan by reference, unless otherwise directed by the City Council any given year; and

WHEREAS, the City wishes to assess School Impact Fees on cottage dwellings at the rate of multifamily rather than single family dwellings, recognizing that due to their limited size, their impact on schools will be akin to that of a multifamily dwelling;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of Capital Facilities Element. The City hereby adopts by reference the Snoqualmie Valley School District's 2013 Capital Facilities Plan as a part of the Capital Facility Element of the North Bend Comprehensive Plan, as attached hereto as Exhibit A.

Section 2. Amendment of Fees Schedule. The Taxes, Rates and Fees Schedule as adopted by Ordinance 1475 is amended in part, by inserting the following provisions under section 17.32:

17.32 School Impact Fees

Impact fees per single-family dwelling unit -- \$8,011.11
Impact fees per multi-family or cottage dwelling unit -- \$3,366.16

Section 3. Update of Taxes, Rates & Fees Schedule. The Taxes, Rates and Fees Schedule, effective as of January 1, 2013, is amended to reflect the amendments set forth in this ordinance, and is incorporated herein as if set forth in full. Such amended Taxes, Rates and Fees Schedule is attached hereto as Exhibit B and supersedes and replaces all other prior versions.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall be published in the official newspaper

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of the City, and shall take effect and be in full force on January 1, 2014.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF
OCTOBER, 2013.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: October 23, 2013

Effective: January 1, 2014

Susie Oppedal, City Clerk